

REMARKS

[0007] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-11 and 13-28 are presently pending. Claims 1, 13-17, and 19 are amended herein. Claim 12 is cancelled herein. New claim 28 is added herein.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims and there only issues that remain are minor or formal matters, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Claim Amendments and Addition

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 13-17, and 19 herein. Applicant amends claims to clarify claimed features. The amendments are made to expedite prosecution and are merely intended to highlight the

claimed features. The amendments should not be construed as further limiting the claimed invention in response to the cited document.

[0011] Claims are amended to highlight statutory subject matter. Support for the amendments to the claims is found at least in Figure 1 and the corresponding discussion in the specification.

[0012] Furthermore, Applicant adds new claim 28 herein, which is fully supported by Application at least at page 13 and therefore do not constitute new matter. New claim 28 is asserted allowable over the cited reference at least by virtue of dependence from claim 1, discussed below.

Substantive Matters

Claim Rejections under § 112 2nd ¶

[0013] Claim 17 is rejected under 35 U.S.C. § 112, 2nd ¶. Applicant respectfully traverses this rejection. Furthermore, in light of the amendments presented herein, Applicant submits that this rejection is moot. Accordingly, Applicant asks the Examiner to withdraw the rejection.

Claim Rejections under § 101

[0014] Claims 1-12 are rejected under 35 U.S.C. § 101. Applicant respectfully traverses this rejection. Furthermore, in light of the amendments presented herein, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0015] If the Examiner maintains the rejection of these claims, then Applicant requests additional guidance as to what is necessary to overcome the rejection.

Claim Rejections under § 102

[0016] The Examiner rejects claims 1-27 under § 102(a) being anticipated by TechNet. Applicant respectfully traverses the rejection of these claims. For the reasons set forth below, the Examiner has not shown that the cited document anticipates the rejected claims. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections of these claims.

[0017] The Examiner's rejections are based upon **TechNet: TechNet, How Security Descriptors and Access Control Lists Work**, Microsoft® TechNet, Updated March 28, 2003.

Overview of the Application

[0018] The Application describes a technology for evaluating modifications to security information associated with accessing an object. Evaluations are performed to determine if excessive access rights or permissions have been granted on the object, which could lead to compromised security. A security verifier intercepts the security information and determines if an identified owner constitutes an untrusted security entity. If so, a notification to that effect is issued. The security verifier also determines whether access rights granted to other entities create a security threat. If so, a notification to that effect is issued. Multiple levels of potential threat may be employed, and notifications of varying

severity may be used to illustrate the disparity between the multiple levels of threat.

Overview of TechNet

[0019] TechNet is a document published by the assignee of the instant application. The document generally describes how security descriptors and access control lists work.

[0020] Applicant submits that the anticipation rejections are not valid because, for each rejected claim, the cited document does not disclose each and every element of each rejected claim.¹ Furthermore, the elements disclosed in the document are not presented with as much detail as contained in the claims.

Independent Claim 1

[0021] Applicant submits that TechNet does not anticipate this claim because it does not disclose at least the following features as recited in this claim (as amended to address §101 and with emphasis added):

- intercepting a **message** at the computing device that **modifies** security information associated with an object, the **security information** **identifying an owner of the object** and an **entity that has access to the object**;

¹ "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); also see MPEP §2131.

- **determining, at the computing device, if the owner exceeds a first threshold security level, and if so, issuing a first notification that the owner exceeds the threshold security level; and**
- **determining, at the computing device, if the entity that has access to the object exceeds a second threshold security level, and if so, issuing a second notification that the entity exceeds the second threshold security level.**

[0022] The Office Action indicates (Action, pp. 3-4) the following with regard to this claim:

With respect to **Claim 1:**

Technet discloses a computer-executable method, comprising:

- a. intercepting a message that modifies security information associated with an object, the security information identifying an owner of the object and an entity that has access to the object (Technet, Page 18, "The canonical order also ensures that all explicit ACEs are processed before any inherited ACE. This is consistent with the concept of discretionary access control: access to a child object is at the discretion of the child's owner, not the parent's owner.");

- b. determining if the owner exceeds a first threshold security level, and if so, issuing a first notification that the owner exceeds the threshold security level (Technet, Page 3, "The SACL is similar to the DACL except that the SACL is used to audit rather than control access to an object. When an audited action occurs, the operating system records the event in the security log." and Page 10, "An ACL is an ordered list of ACEs that define the protections that apply to an object and its properties. Each ACE identifies a security principal and specifies a set of access rights that are allowed, denied, or audited for that security principal."); and
- c. determining if the entity that has access to the object exceeds a second threshold security level, and if so, issuing a second notification that the entity exceeds the second threshold security level ((Technet, Page 3, "The SACL is similar to the DACL except that the SACL is used to audit rather than control access to an object. When an audited action occurs, the operating system records the event in the security log." and Page 10, "An ACL is an ordered list of ACEs that define the protections that apply to an object and its properties. Each ACE identifies a security principal and specifies a set of access rights that are allowed, denied, or audited for that security principal.").

[0023] Applicant notes that "being consistent with the concept of discretionary access control" is not sufficient to anticipate the claimed feature "intercepting a **message** at the computing device that **modifies** security information associated with an object, the **security information identifying an owner of the object** and an **entity that has access to the object.**" Furthermore, the same passages are cited to reject both "**determining**, at the computing device, if the **owner exceeds a first threshold security level**, and if so, issuing a first notification that the owner exceeds the threshold security level"

and “determining, at the computing device, if the **entity that has access to the object exceeds a second threshold security level**, and if so, issuing a second notification that the entity exceeds the second threshold security level” of the claim, although, as highlighted for the convenience of the Office, the features are distinct.

[0024] Consequently, TechNet does not disclose all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Dependent Claims 2-11 and 28

[0025] These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable over the cited document. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable over the cited document. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 13

[0026] Applicant submits that TechNet does not anticipate this claim for at least similar reasons as those discussed above regarding claim 1. Although the Office cites the same passages of TechNet as anticipating, the document does not disclose each feature and element of the claim in as complete detail as recited in the claim. Thus, Applicant respectfully requests that the rejection of claim 13 be withdrawn.

Dependent Claims 14-18

[0027] These claims ultimately depend upon independent claim 13. As discussed above, claim 13 is allowable over the cited document. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable over the cited document. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Independent Claim 19

[0028] Applicant submits that TechNet does not anticipate this claim because it does not disclose at least the following features as recited in this claim (as amended to address §101 and with emphasis added):

- **intercepting** a message that affects security information of an object **by a security verifier having a security descriptor evaluator component** configured to intercept the message that affects security information of an object, and
- **evaluating, by the security verifier** a security identifier associated with an entity having access rights to the object, the evaluation including a determination whether the entity is categorized as other than trusted, the security descriptor evaluator component being further configured to issue a notification if the entity is categorized as other than trusted

[0029] The Office Action indicates (Action, pp. 11-12) the following with regard to this claim:

44. With respect to Claim 19:

45. Technet discloses a computer-readable medium having computer-executable components, comprising:

h. a security verifier having a security descriptor evaluator component configured to intercept a message that affects security information of an object, and to evaluate a security identifier associated with an entity having access rights to the object, the evaluation including a determination whether the entity is categorized as other than trusted, the security descriptor evaluator component being further configured to issue a notification if the entity is categorized as other than trusted (Technet, , Page 18, "The canonical order also ensures that all explicit ACEs are processed before any inherited ACE. This is consistent with the concept of discretionary access control: access to a child object is at the discretion of the child's owner, not the parent's owner.", Page 3, "The SACL is similar to the DACL except that the SACL is used to audit rather than control access to an object. When an audited action occurs, the operating system records the event in the security log." and Page 10, "An ACL is an ordered list of ACEs that define the protections that apply to an object and its properties. Each ACE identifies a security principal and specifies a set of access rights that are allowed, denied, or audited for that security principal.").

[0030] Although the Office cites the same three passages of TechNet as anticipating, the document does not disclose each feature and element of the claim in as complete detail as recited in the claim. Furthermore, Applicant submits that TechNet does not anticipate this claim for at least similar reasons as those discussed above regarding claim 1. Thus, Applicant respectfully requests that the rejection of claim 19 be withdrawn.

Dependent Claims 20-27

[0031] These claims ultimately depend upon independent claim 19. As discussed above, claim 19 is allowable over the cited document. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable over the cited document. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Dependent Claims

[0032] In addition to its own merits, each dependent claim is allowable for at least the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0033] All pending claims are believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.**

Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

/Bea Koempel-Thomas 58213/ Dated: 03/10/2009
Beatrice L. Koempel-Thomas (bea@leehayes.com; 509-944-4759)
Registration No. 58213

Assistant: Cherri Simon (cherri@leehayes.com; 509-944-4776)

Customer No. **22801**

Telephone: (509) 324-9256
Facsimile: (509) 323-8979
www.leehayes.com